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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 Scott Andrew Morrison,

12 Petitioner,

13 v.

14 Steven Acquisto,

15 Respondent.
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No. 2:23-cv-00559-KJM-EFB (HC)

ORDER

17 Petitioner, a state prisoner proceeding pro se, petitioned for writ of habeas corpus under
18 28 U.S.C. § 2254. On July 21, 2023, the court adopted the magistrate judge’s findings and
19 recommendations, F&R, ECF No. 6, and dismissed the case because petitioner’s direct appeal of
20 the judgment of conviction was still pending in state court and, as a result, he was not entitled to
21 relief in federal district court. Order (July 25, 2023), ECF No. 8.

22 Petitioner presents no appropriate justification for reopening this matter. *See*
23 Fed. R. Civ. P. 60(b) (enumerating grounds for relief from judgment). Petitioner raises vague
24 claims regarding “jeopardy and double jeopardy” and claims he is “not guilty on both counts.”
25 Request at 2, ECF No. 10. He also requests the court appoint him an attorney. *Id.* Petitioner
26 does not include information regarding his state court case, and a review of the docket for the
27 case shows the judgment was affirmed and remittitur issued. *See* ECF No. 1 at 1–2 (referencing

1 case number C097455). The court finds no cognizable relief it can grant and, in turn, also
2 declines to appoint petitioner an attorney. The court **denies** petitioner's request.

3 This order resolves ECF No. 10.

4 IT IS SO ORDERED.

5 DATED: April 2, 2024.

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CHIEF UNITED STATES DISTRICT JUDGE